

By: Representative Shanks

To: Judiciary B

HOUSE BILL NO. 797

1 AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE PASSAGE OF TIME WILL NOT BAR PROSECUTION FOR
3 SEXUAL BATTERY WITHOUT REGARD TO THE AGE OF THE VICTIM; AND FOR
4 RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 99-1-5, Mississippi Code of 1972, is
7 amended as follows:

8 99-1-5. The passage of time shall never bar prosecution
9 against any person for the offenses of murder, manslaughter,
10 aggravated assault, aggravated domestic violence, kidnapping,
11 arson, burglary, forgery, counterfeiting, robbery, larceny, rape,
12 embezzlement, obtaining money or property under false pretenses or
13 by fraud, felonious abuse or battery of a child as described in
14 Section 97-5-39, touching or handling a child for lustful purposes
15 as described in Section 97-5-23, sexual battery * * * as described
16 in Section 97-3-95 * * *, exploitation of children as described in
17 Section 97-5-33, promoting prostitution under Section 97-29-51(2)
18 when the person involved is a minor, or any human trafficking
19 offense as described in Section 97-3-54.1(1)(a), (1)(b) or (1)(c),



20 Section 97-3-54.2, or Section 97-3-54.3. A person shall not be
21 prosecuted for conspiracy, as described in Section 97-1-1, for
22 felonious assistance-program fraud, as described in Section
23 97-19-71, or for felonious abuse of vulnerable persons, as
24 described in Sections 43-47-18 and 43-47-19, unless the
25 prosecution for the offense is commenced within five (5) years
26 next after the commission thereof. A person shall not be
27 prosecuted for larceny of timber as described in Section 97-17-59,
28 unless the prosecution for the offense is commenced within six (6)
29 years next after the commission thereof. A person shall not be
30 prosecuted for any other offense not listed in this section unless
31 the prosecution for the offense is commenced within two (2) years
32 next after the commission thereof. Nothing contained in this
33 section shall bar any prosecution against any person who shall
34 abscond or flee from justice, or shall absent himself from this
35 state or out of the jurisdiction of the court, or so conduct
36 himself that he cannot be found by the officers of the law, or
37 that process cannot be served upon him.

38 **SECTION 2.** This act shall take effect and be in force from
39 and after July 1, 2022.

